

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS BRATISLAVA 000312

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PINR](#) [LO](#)

SUBJECT: NEWS AND VIEWS ON RECENT GOVERNANCE REFORMS

REF: BRATISLAVA 245

SENSITIVE BUT UNCLASSIFIED. PLEASE PROTECT ACCORDINGLY.

11. (SBU) SUMMARY. BESIDES THE ECONOMIC REFORMS THAT SLOVAKIA HAS INSTITUTED, THERE ARE MANY OTHER REFORMS STILL TAKING PLACE. WE OFFER THESE VIEWS FROM GOVERNMENT OFFICIALS, WHO COMMENT ON DECENTRALIZATION AND JUSTICE REFORM, AS WELL AS DETAILS OF A NEW ELECTION LAW THAT WAS PASSED BY PARLIAMENT BUT RECENTLY VETOED BY PRESIDENT SCHUSTER. END SUMMARY.

DECENTRALIZATION: MAYORS LIKE MONEY, NOT RESPONSIBILITY

12. (SBU) SLOVAKIA'S STRUGGLE TO OVERCOME ITS COMMUNIST PAST IS PLAYING OUT IN THE ONGOING EFFORT TO DECENTRALIZE SERVICES SUCH AS EDUCATION, HEALTH CARE, AND LOCAL PUBLIC WORKS. VIKTOR NIZNANSKY, THE PLENIPOTENTIARY FOR PUBLIC ADMINISTRATION REFORM, TOLD POLOFFS THAT THE FISCAL PART OF DECENTRALIZATION LAWS COULD BE READY TO INCORPORATE INTO THE STATE BUDGET BY 2005. MUNICIPALITIES AND REGIONS WOULD GET MOST OF THEIR FUNDS FROM A FIXED SHARE OF THE INCOME TAX. THE LOCALITIES CAN DECIDE ON HOW AND HOW MUCH TO COLLECT IN VARIOUS OTHER FEES AND TAXES. NIZNANSKY SAID LOCAL GOVERNMENTS WELCOME MORE POWER AND MONEY, BUT NOT THE ADDITIONAL RESPONSIBILITY AND ACCOUNTABILITY. THE FACT THAT MORE MONEY WILL NOT COME AUTOMATICALLY FROM DECENTRALIZATION, BUT WILL DEPEND ON LOCAL GOVERNMENT ACTIVITIES, IS NOT SO ATTRACTIVE TO LOCAL OFFICIALS.

13. (SBU) NIZNANSKY BELIEVES THE EXISTING 2,900 COMMUNITIES IN SLOVAKIA EVENTUALLY SHOULD BE MERGED INTO 200 TO 300 MUNICIPALITIES. MANY SMALL COMMUNITIES CANNOT PROVIDE BASIC SERVICES FOR CITIZENS, AS MUCH OF THEIR INCOME GOES TO SALARIES FOR MAYORS AND CITY COUNCILS. CONSOLIDATION WOULD ALLOW THE LARGER COMMUNITIES TO TAKE OVER FUNCTIONS LIKE REGIONAL DEVELOPMENT, SOCIAL WELFARE, AND SCHOOLS FROM THE CENTRAL GOVERNMENT. AT THE CENTRAL GOVERNMENT LEVEL, NIZNANSKY SAID STAFFING IS STILL BLOATED WITH EMPLOYEES WHOSE FUNCTIONS ARE UNKNOWN OR LONG FORGOTTEN, YET THE MINISTRIES SOMETIMES CANNOT DO NECESSARY WORK, SUCH AS CALCULATIONS FOR SCHOOL REFORM.

PRESIDENT VETOES NEW ELECTION LAW

14. (U) PARLIAMENT PASSED, BUT THE PRESIDENT VETOED, A NEW BILL ON PARLIAMENTARY ELECTIONS. PRESIDENT SCHUSTER SAID HE FELT THE ELECTION DEPOSIT REQUIREMENT RAN AFOUL OF THE CONSTITUTION PROTECTION OF THE RIGHT TO PARTICIPATE IN ELECTIONS. THE LAW ADDRESSES MOST CONCERNS RAISED BY INTERNATIONAL OBSERVERS AND DOMESTIC NGOS, WITH TWO MAIN EXCEPTIONS. THE SINGLE ELECTION DISTRICT REMAINS; AND MPS WILL STILL BE ELECTED VIA PARTY LISTS NOT LINKED TO ANY LOCALITY. THE LAW

-- CREATES AN EASIER ABSENTEE VOTE SYSTEM FOR SLOVAKS ABROAD;
-- DISCOURAGES FRIVOLOUS PARTIES BY REQUIRING A DEPOSIT THAT WILL BE REFUNDED ONLY IF THEY GET 3 PERCENT OR MORE OF THE VOTE;
-- STRENGTHENS THE WEIGHT OF PREFERENTIAL VOTES;
-- SETS ELECTIONS ON AN ENTIRE SATURDAY RATHER THAN ON TWO DAYS AS BEFORE;
-- ALLOWS THE ELECTION CAMPAIGN TO BEGIN 21 DAYS PRIOR TO THE VOTE AND TO BE RUN IN THE MEDIA; AND
--LIFTS THE MORATORIUM ON CAMPAIGNING DURING THE LAST 48 HOURS BEFORE THE ELECTION.

MP CRITICIZES JUSTICE REFORM PROPOSALS

15. (SBU) JAN DRGONEC, CHAIRMAN OF THE CONSTITUTIONAL AND LEGAL COMMITTEE AND MP FOR ANO, MET WITH POLOFFS TO FOLLOW UP ON PARLIAMENTARY OVERSIGHT (REFTEL). THE CONSTITUTIONAL AMENDMENT SETTING UP "INVESTIGATIVE COMMITTEES" HAS STALLED, BUT DRGONEC AND COLLEAGUES CONTINUE TO DISCUSS THE EVENTUAL FORM OVERSIGHT WILL TAKE. DRGONEC COMMENTED THAT JUSTICE MINISTER DANIEL LIPSIC'S JUDICIAL REFORMS FOCUS ON GIVING MORE POWER TO HIS MINISTRY. HE MENTIONED THAT SUPREME COURT PRESIDENT MILAN KARABIN SEEMS TO BE TOO WEAK AND SERVILE VIS-A-VIS THE EXECUTIVE BRANCH. DRGONEC SUGGESTED THE SPECIAL COURT TO INVESTIGATE CORRUPTION AMONG PUBLIC OFFICIALS COULD BECOME A POLITICAL TOOL. HE BELIEVES REAL JUDICIAL REFORM REQUIRES REDUCING THE NUMBER OF SUPREME COURT JUSTICES (THERE ARE 78 POSITIONS AND 17 JUDGES HAVE ALREADY LEFT,

WITH MORE AT RETIREMENT AGE), AND DEVOLVING SOME
RESPONSIBILITIES TO REGIONAL AND DISTRICT COURTS. DRGONEC
WAS GLAD THAT LIPSIC WAS NOT SUCCESSFUL IN ELIMINATING THE
TRENCIN AND TRNAVA REGIONAL COURTS, BECAUSE THERE ARE
SEVERAL MAFIA CASES ONGOING. CLOSING THE COURTS WOULD HAVE
MEANT RE-STARTING THE CASES AND RELEASING THE SUSPECTS. IN
DRGONEC'S OPINION, THIS WAS TOO HIGH A PRICE TO PAY FOR
"JUDICIAL REFORM."

WEISER

NNNN